

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

SO ORDERED.

This 23 day of April, 2013.

UNITED STATES OF AMERICA

v.

CR 608-012

JUANICE GAINES

*B. Avant Edenfield*  
B. AVANT EDENFIELD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

**ORDER**

Now before the Court is defendant Juanice Gaines's "Motion to Award Pre-Trial Credit." Doc. # 467.

Gaines currently is serving a 156-month sentence imposed by this Court based on his participation in a cocaine distribution conspiracy. Docs. # 270, 272. In the instant motion, he asks that this Court order the Bureau of Prisons to award him credit against his sentence for 323 days he spent in custody prior to his sentencing.

"A claim for credit for time served is brought under 28 U.S.C. § 2241 after the exhaustion of administrative remedies." United States v. Nyhuis, 211 F.3d 1340, 1345 (11<sup>th</sup> Cir. 2000). A section 2241 petition must be filed in the district of the petitioner's confinement. See Fernandez v. United States, 941 F.2d 1488, 1495 (11<sup>th</sup> Cir. 1991).

Here, Gaines is confined at the Federal Correctional Institution in Edgefield, South Carolina, not in the Southern District of Georgia. Doc. # 467, at 3. Consequently, this Court lacks jurisdiction over his claims. See Fernandez, 941 F.2d at 1495.

Gaines's motion therefore must be, and is, **DENIED** for lack of jurisdiction.

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.  
2013 APR 23 PM 1:11  
CLERK *A. Moore*  
SO. DIST. OF GA.